

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

VIRGIL SMITH, et al.,)
Plaintiff,)
v.)
PHOENIX SEATING)
SYSTEMS, LLC., et al.,)
Defendants.)
Case No. 3:09-cv-00568-GPM-DGW

THIRD AMENDED SCHEDULING ORDER

Depositions upon oral examination, interrogatories, request for documents, and answers and responses thereto shall not be filed unless on order of the Court.

Disclosures or discovery under Rule 26(a) of the Federal Rules of Civil Procedure are to be filed with the Court only to the extent required by the final pretrial order, other order of the Court, or if a dispute arises over the disclosure or discovery.

Having reviewed the Joint Motion for Leave to Amend Scheduling Order (Doc. 90) and finding that the parties have complied with the requirements of Federal Rule of Civil Procedure 26(f) and SDIL-LR 16.2(a), the Court **GRANTS** the motion and hereby enters the following proposed Third Amended Scheduling Order, as modified by the Court.

- A. Defendants' depositions shall be taken by **August 1, 2011**
- B. Expert witnesses shall be disclosed, along with a written report prepared and signed by the witness pursuant to Federal Rule of Civil Procedure 26(a)(2), as follows:

Plaintiff's expert(s): **August 15, 2011**

Defendant's expert(s): **October 15, 2011**

Third-Party expert(s): **October 15, 2011**

C. Depositions of expert witnesses must be taken by:

Plaintiff's expert(s): **October 1, 2011**

Defendant's expert(s): **November 15, 2011**

Third-Party expert(s): **November 15, 2011**

D. **Discovery** shall be completed by **December 1, 2011** (which date shall be no later than **115 days** before the first day of the month of the presumptive trial month).

E. All **dispositive motions** shall be filed by **December 15, 2011** (which date shall be no later than **100 days** before the first day of the month of the presumptive trial month).

F. The settlement conference before Magistrate Judge Donald G. Wilkerson in accordance with SDIL-LR 16.3(b) is **reset** for **December 19, 2011 at 9:00 a.m.** in the East St. Louis Federal Courthouse. If the parties believe that a sooner or later settlement conference date will be beneficial, they may contact chambers.

G. A final pretrial conference will be set before the trial judge in accordance with SDIL-LR16.2(b).

H. As **reset** by the trial court, the presumptive trial month is **February 2012**.

I. The Court's Order Regarding Discovery (Doc. 48) remains in effect.

DATED: June 16, 2011


DONALD G. WILKERSON
United States Magistrate Judge